



Public Notice

Applicant:

WAL-MART Stores, Inc.

Date:

Published: March 12, 2001

Expires: April 11, 2001

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District CELRB-CO-R RE: 2000-00993(2) Section: NY 404

**Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

WAL-MART Stores, Incorporated, Sam M. Walton Development Complex, 2001 SE 10th Street, Bentonville, Arkansas 72712, proposes to place fill into approximately 1.2 acres of Federal jurisdiction wetlands in order to construct a WAL-MART retail store and associated parking facilities on an approximately 44 acre parcel, located on New York State Route 49, in the Village of Central Square, Oswego County, New York. The wetlands on the project site are part of a wetland complex adjacent to a tributary of Little Bay Creek, which flows into Oneida Lake, a navigable waterway.

The project consists of the following:

a. A total of approximately 1.2 acres of Federal jurisdiction wetlands will be filled in four locations on the project site for access and parking for a proposed 154,450 square foot WAL-MART Supercenter. The wetlands to be impacted include approximately 0.37 acre of seasonally saturated emergent wetland and approximately 0.83 acre of seasonally saturated wet meadow. The emergent areas include a portion of Wetland "A", which is an approximately 1.5 acre area in the south central portion of the site, and the entirety of Wetland "B", which is a depressional area near State Route 49 which discharges through a culvert to a large wetland complex to the west of the development parcel. The 0.83 acre of wet meadow fill is a portion of Wetland "C", which consists primarily of mowed field at the fill location. Wetland "C" provides very little habitat value at this location and primarily functions as flood storage and buffer, as the wetland transitions into a high quality forested wetland to the west which also encompasses New York State Department of Environmental Conservation (NYSDEC) wetland CS-19. The project will not impact the high quality forested wetland, including NYSDEC wetland CS-19. All wetlands on the project site and adjacent to the project site have been field verified by the Corps of Engineers.

b. The proposed access road entering the site and then running along the west side of the site may, in the future, become part of a dedicated Village road connecting State Routes 49 and 12. The Village of Central Square has requested that the applicant construct the first segment of this road as part of their development proposal. However, the Village has not determined the final route for this road and is not pursuing any additional work for the road at this time.

c. As mitigation for unavoidable impacts to approximately 1.2 acres of wetlands, the applicant proposes to construct approximately 1.4 acres of wetlands adjacent to the avoided area of Wetland "A". The creation area will include a mix of open water, emergent marsh and scrub shrub habitats. The mitigation area will be graded and planted as indicated in the enclosed drawings. In addition, the applicant proposes to place a perpetual conservation easement on approximately 2.5 acres of the high quality NYSDEC wetland CS-19 located on an adjacent parcel west of the project site. The applicant currently owns the adjacent parcel as well as the project site.

The project design has been modified several times in order to reduce potential wetland impacts, particularly to Wetland "A". The current design should not compromise the integrity of Wetland "A", which contains the highest quality habitat on the project site. The expansion of Wetland "A" will ensure that there is no net loss of wetland acreage on the project site.

The applicant's stated purpose is to construct a WAL-MART retail facility.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Steven V. Metivier, who can be contacted by calling (716) 879-4314, or by e-mail at: steven.v.metivier@usace.army.mil

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the New York State Department of Environmental Conservation.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207-3199, and should be marked to the attention of Steven V. Metivier, or by e-mail at: steven.v.metivier@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

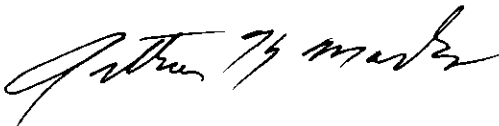
Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

for 
Paul G. Leuchner
Chief, Regulatory Branch

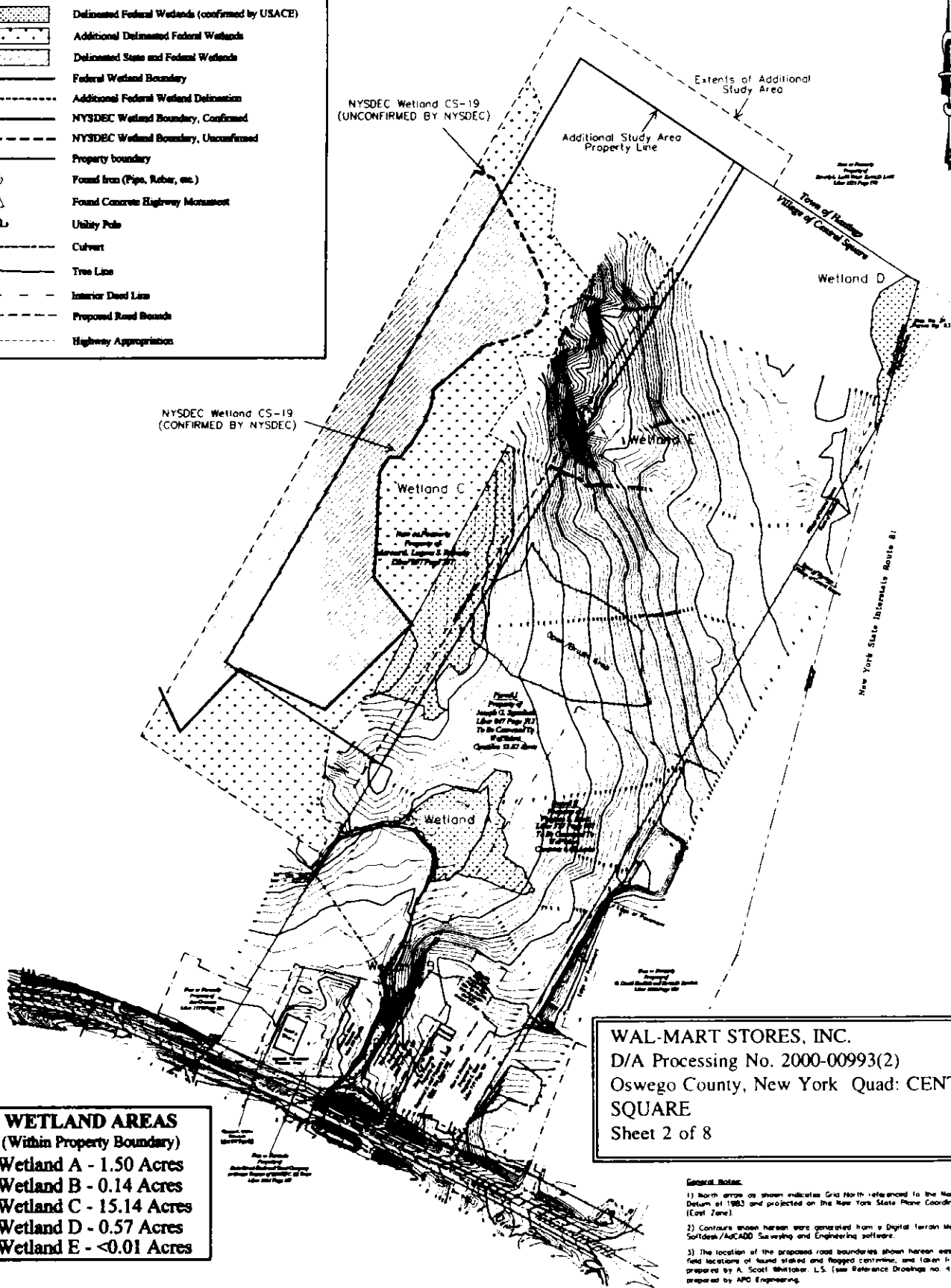
NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.



WAL-MART STORES, INC.
D/A Processing No. 2000-00993(2)
Oswego County, New York Quad: CENTRAL
SQUARE
Sheet 1 of 8

LEGEND

	Delineated Federal Wetlands (confirmed by USACE)
	Additional Delineated Federal Wetlands
	Delineated State and Federal Wetlands
	Federal Wetland Boundary
	Additional Federal Wetland Delineation
	NYSDEC Wetland Boundary, Confirmed
	NYSDEC Wetland Boundary, Unconfirmed
	Property boundary
	Found Iron (Pipe, Rebar, etc.)
	Found Concrete Highway Monument
	Utility Pole
	Culvert
	Tree Line
	Interior Dead Line
	Proposed Road Boundary
	Highway Appropriation

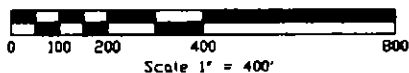


WETLAND AREAS
(Within Property Boundary)
Wetland A - 1.50 Acres
Wetland B - 0.14 Acres
Wetland C - 15.14 Acres
Wetland D - 0.57 Acres
Wetland E - <0.01 Acres

WAL-MART STORES, INC.
D/A Processing No. 2000-00993(2)
Oswego County, New York Quad: CENTRAL
SQUARE
Sheet 2 of 8

General Notes:

- 1) North arrow as shown indicates Grid North - referenced to the North American Datum of 1983 and projected on the New York State Plane Coordinate System (East Zone).
- 2) Contours shown hereon were generated from a Digital Terrain Model utilizing Surfer/ArcCAD Surveying and Engineering software.
- 3) The location of the proposed road boundaries shown hereon was determined by field locations of found stakes and flagged centerline, and taken from a map prepared by A. Scott Whitaker, L.S. (see Reference Drawings No. 4) and a drawing prepared by APO Engineering.



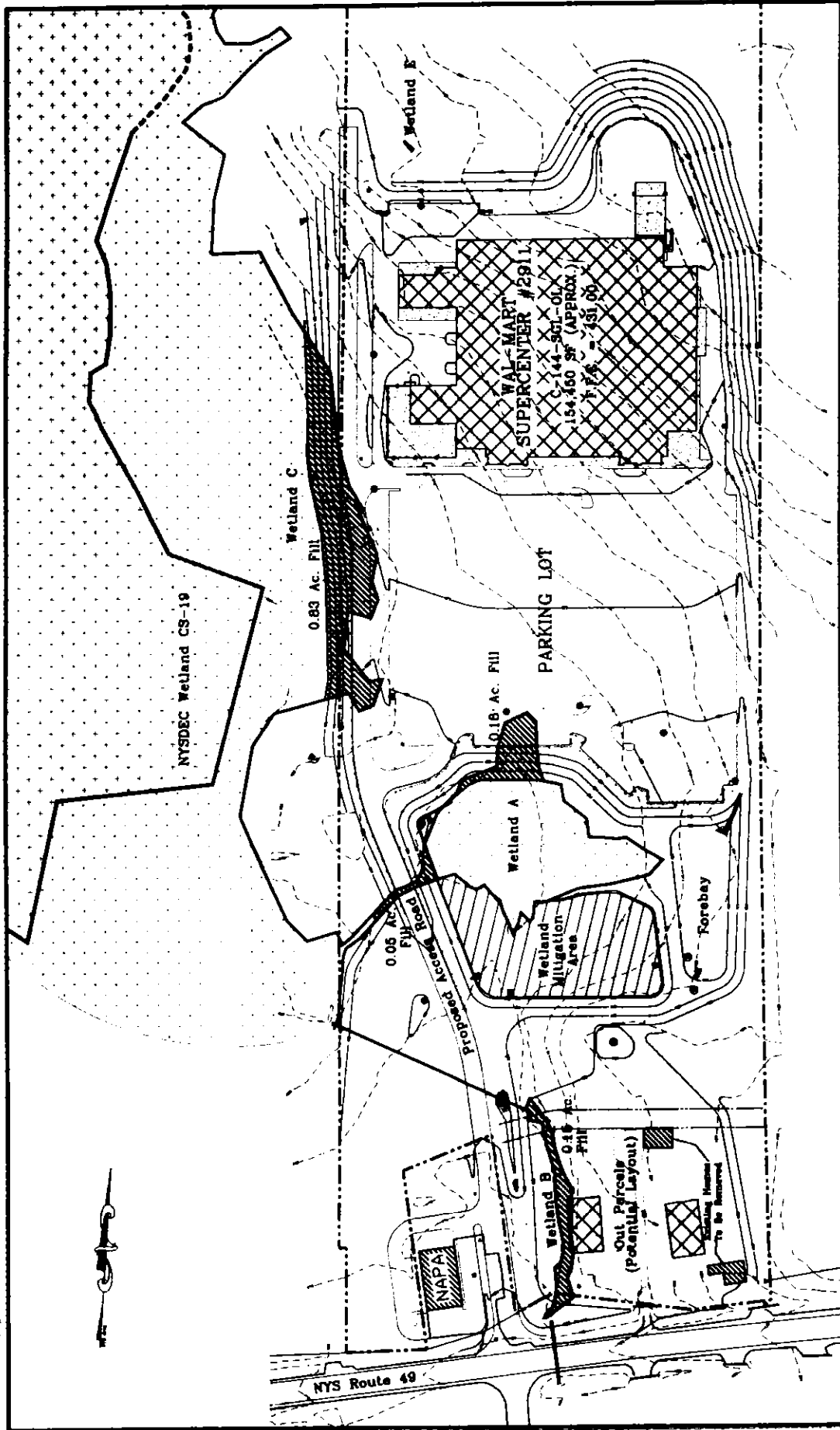
Survey Provided By:

Spencer F. Thew, PE-LS
6431 U.S. Highway 11
P.O. Box 20
Canastota, New York 13612
Telephone: (515) 386-2776
Facsimile: (515) 386-1012

Prepared By:



FIGURE 5.
PROJECT SITE AND ADDITIONAL
STUDY AREA MAP WITH
DELINEATED WETLAND BOUNDARIES
Central Square, NY



LEGEND

- Existing Contour
- Wetland Boundary
- Delineated Federal Wetland
- Delineated Federal and State Wetland
- Proposed Wetland Fill (1.20 ac.)
- Wetland Mitigation Area (1.39 ac.)
- Proposed Contour
- Property Line



Figure 4. Proposed Project Site Development Plan

WAL-MART STORES, INC.
D/A Processing No. 2000-00993(2)
Oswego County, New York Quad: CENTRAL
SQUARE
Sheet 3 of 8

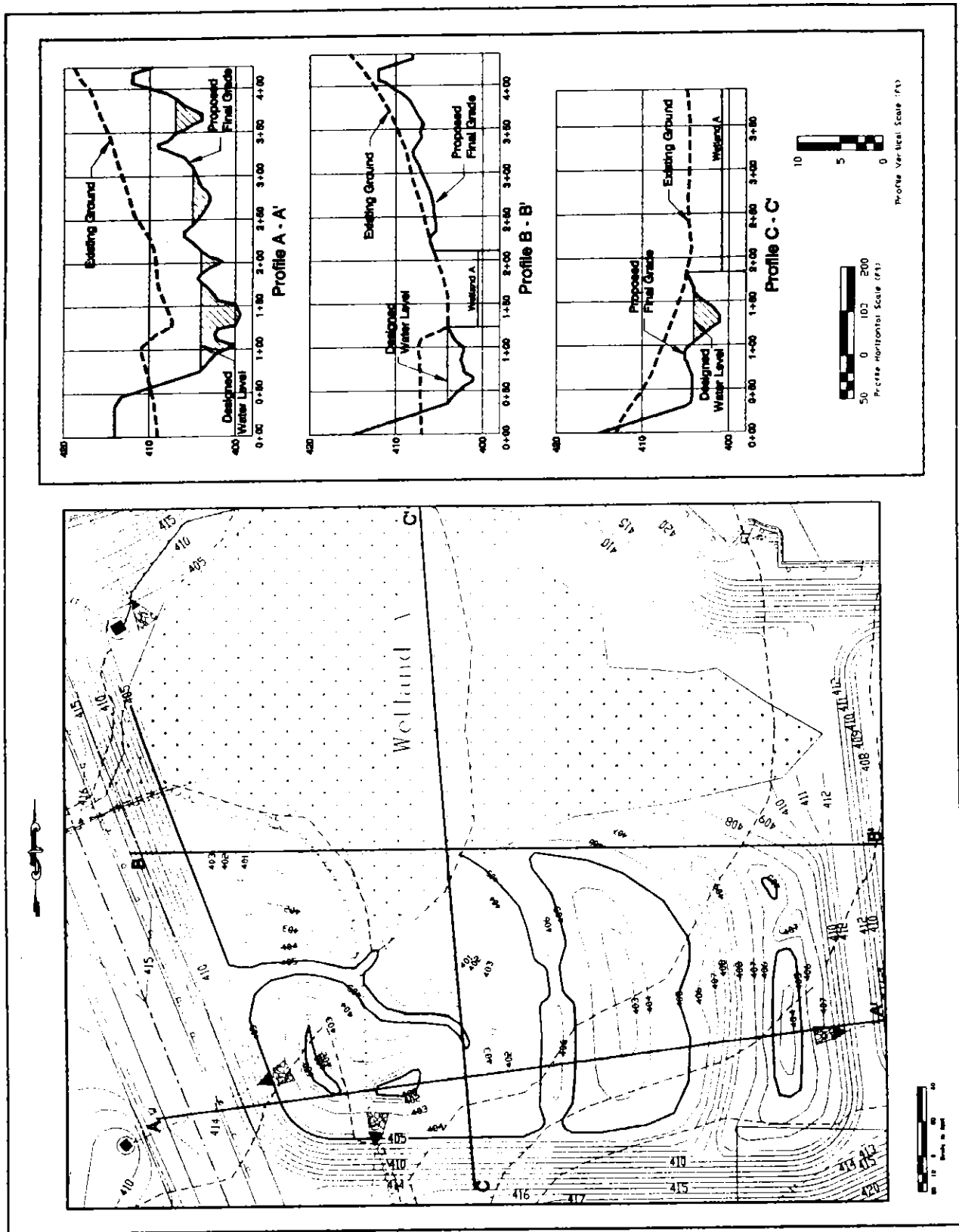
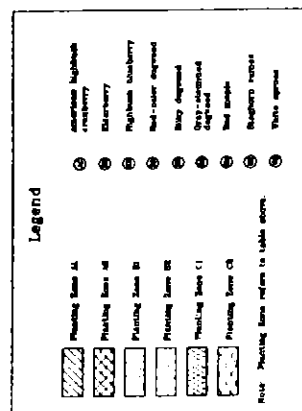
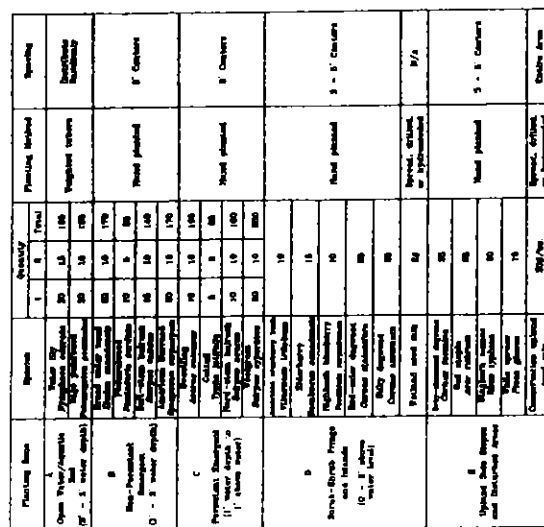


Figure 5. Conceptual Grading Plan for the Proposed Wetland Mitigation Area.

Northern Ecological Associates, Inc.

WAL-MART STORES, INC.
D/A Processing No. 2000-00993(2)
Oswego County, New York Quad: CENTRAL
SQUARE
Sheet 4 of 8



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WAL-MART STORES, INC.
D/A Processing No. 2000-00993(2)
Oswego County, New York Quad: CENTRAL
SQUARE
Sheet 5 of 8

Table 1.

Recommended Vegetation Plantings for Proposed Wetland Creation Area.

Planting Zone	Species	Stock	Planting Method	Recommended Spacing	Planting Pattern
A Open Water/ Aquatic Bed (2 - 3' water depth)	Water lily	Tubers	Weighted tubers	Distribute randomly	Patches
	<i>Nymphaea odorata</i>				
	Sago pondweed				
	<i>Potamogeton pectinatus</i>				
B Non-Persistent Emergent (1 - 2' water depth)	Broad water weed	Root stock/Tubers	Hand planted	3' centers	Approximately 30 - 50% of area, 30 - 50' patches
	<i>Elodea canadensis</i>				
	Pickereelweed				
	<i>Pontederia cordata</i>				
	Soft-stem bulrush				
	<i>Scirpus validus</i>				
C Persistent Emergent (0 - 1' water depth)	American Burreed	Root stock/Tubers	Hand planted	3' centers	Approximately 30 - 50% of area, 30 - 50' patches
	<i>Sparganium eurycarpum</i>				
	Sweetflag				
	<i>Acorus calamus</i>				
	Cattail				
	<i>Typha latifolia</i>				
	Hard-stem bulrush				
	<i>Scirpus acutus</i>				
	Woolgrass				
	<i>Scirpus cyperinus</i>				

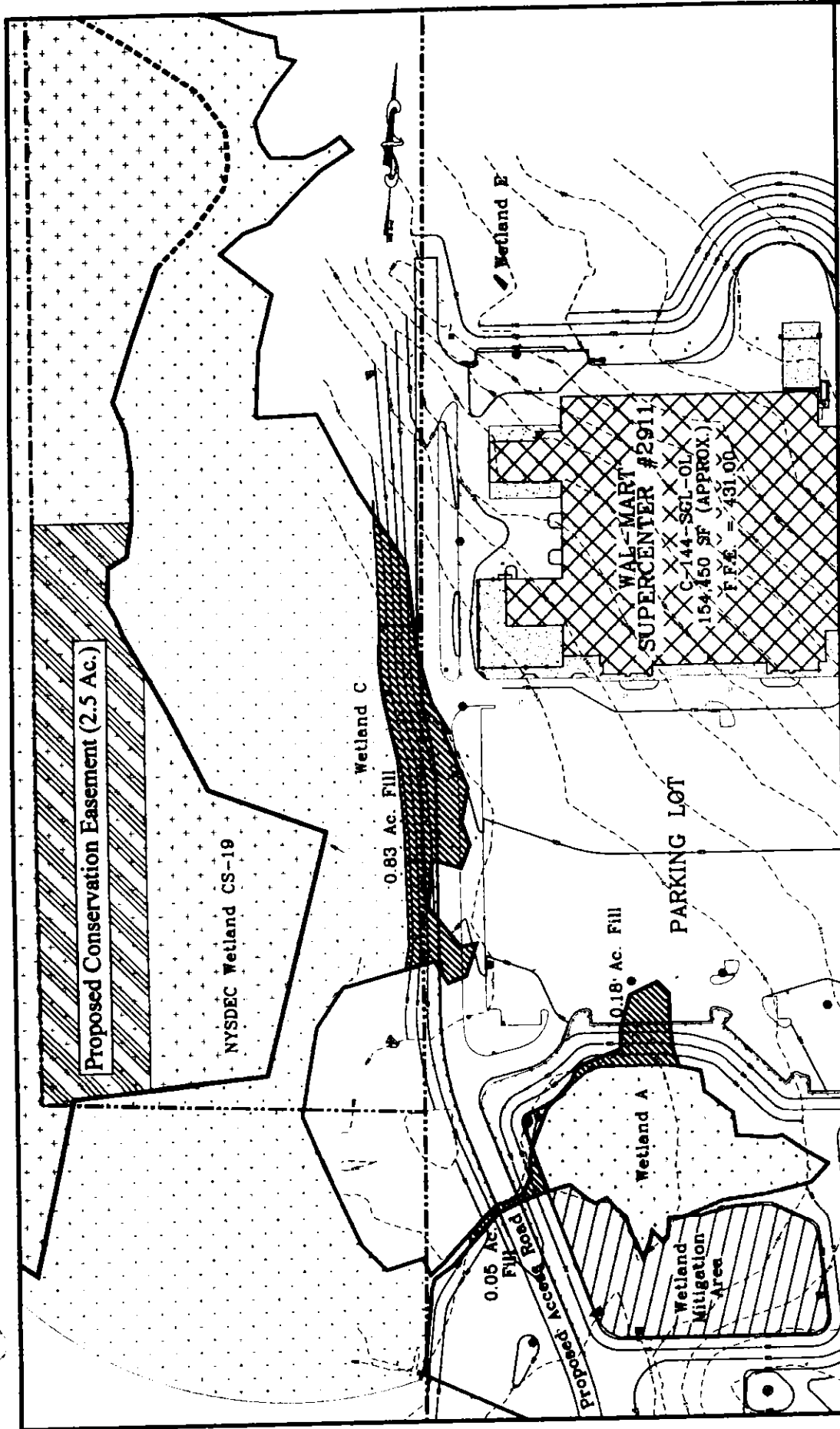
WAL-MART STORES, INC.
D/A Processing No. 2000-00993(2)
Oswego County, New York Quad: CENTRAL
SQUARE
Sheet 6 of 8

Table 1. (Cont.)

Recommended Vegetation Plantings for Proposed Wetland Mitigation Area.

D Scrub-Shrub Fringe and Islands (0 - 1' above water level)	American cranberry bush <i>Viburnum trilobum</i>	Bare-root stock	Hand planted	3 - 5' centers	Approximately 30 - 50% of area, 30 - 50' patches
	Elderberry				
	<i>Sambucus canadensis</i>				
	Highbush blueberry				
	<i>Vaccinium corymbosum</i>				
	Red-osier dogwood				
	<i>Cornus stolonifera</i>				
E Upland Side Slopes and Disturbed Areas	Silky dogwood	Seeds	Spread, drilled, or hydroseeded	20 lbs/acre	50 - 75% of area
	<i>Cornus amomum</i>				
	Wetland seed mixture	Bare-root stock	Hand planted	3 - 5' centers	Approximately 30% of area in patches
	Gray-stemmed dogwood <i>Cornus foemina</i>				
	Red maple				
	<i>Acer rubrum</i>				
	Staghorn sumac <i>Rhus typhina</i>				
	White spruce <i>Picea glauca</i>				
	Conservation upland seed mixture	Seeds	Spread, drilled, or hydroseeded	20 - 30 lbs/acre	Entire area

WAL-MART STORES, INC.
D/A Processing No. 2000-00993(2)
Oswego County, New York Quad: CENTRAL
SQUARE
Sheet 7 of 8



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- Existing Contour
- Proposed Contour
- Wetland Boundary
- Property Line
- Delineated Federal Wetland
- Delineated Federal and State Wetland
- Proposed Wetland Fill (1.20 ac.)
- Wetland Mitigation Area (1.39 ac.)

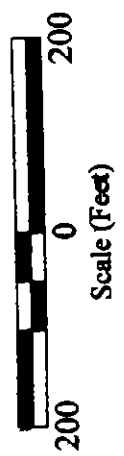


Figure 7.
Location of Proposed Conservation Easement

WAL-MART STORES, INC.
 D/A Processing No. 2000-00993(2)
 Oswego County, New York Quad: CENTRAL
 SQUARE
 Sheet 8 of 8